

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Tiara McGee,)	
)	
Plaintiff,)	
)	
v.)	Case No.: _____
)	
Prisma Health,)	
)	
Defendant.)	
_____)	

NOTICE OF REMOVAL

Defendant Prisma Health (“Defendant”) submits this Notice of Removal to the United States District Court for the District of South Carolina, Greenville Division. In support of removal, Defendant shows as follows:

1. Plaintiff filed a civil action against Defendant in the Court of Common Pleas for Greenville County, South Carolina, on March 31, 2020, Civil Action No. 2020-CP-23-01929.
2. The Complaint was served on Defendant on April 3, 2020.
3. This Notice of Removal is being filed and served within thirty (30) days of Defendant’s receipt of the Summons and Complaint in accordance with 28 U.S.C. §1446(b).
4. A copy of all process and pleadings served upon Defendant is attached hereto as **Exhibit A** in accordance with 28 U.S.C. § 1446(a).
5. A copy of this Notice of Removal is being filed with the Clerk of the Greenville County Court of Common Pleas and served upon Plaintiff’s counsel of record, as required by 28 U.S.C § 1446(d) and Local Civil Rule 83.IV.01 DSC.
6. Under 28 U.S.C. § 1441(a), venue of the removed action is proper in this Court as it is in the district and division embracing the place where the state action was pending.

Federal Question Jurisdiction

7. This Court has original jurisdiction over this action by virtue of 28 U.S.C. § 1331 because it involves claims arising under the laws of the United States. More specifically, this Court has original jurisdiction of this action because Plaintiff has alleged three claims under Title VII of the Civil Rights Act of 1964 (Compl. ¶¶ 4, 25-45.)

8. Plaintiff's only other cause of action (defamation) arises from the same case or controversy and this Court may exercise supplemental jurisdiction pursuant to 28 U.S.C. § 1367.

9. Therefore, this action could originally have been brought before this Court pursuant to 28 U.S.C. § 1331 and may be removed by Defendant pursuant to 28 U.S.C. § 1441.

10. WHEREFORE, Defendant prays that the action now pending in the Greenville County Court of Common Pleas be removed to this Court, that this Court accept jurisdiction of this action, and that this action be placed on the docket of this Court for further proceedings as though this action had originally been instituted in this Court.

WHEREFORE, Defendant prays that the action now pending in Greenville County Court of Common Pleas be removed to the United States District Court of the District of South Carolina, Greenville Division.

[SIGNATURE ON NEXT PAGE]

Dated this 1st day of May, 2020.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: /s/ Lucas J. Asper
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